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Attorneys for Reorganized Debtor Matheson Flight Extenders, Inc.

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEVADA

In re:

MATHESON FLIGHT EXTENDERS,  
INC.,

Debtor.

Case No.: BK-N-15-50541-BTB

Chapter 11 Case

**EX PARTE APPLICATION FOR ENTRY  
OF ORDER FACILITATING AND  
DIRECTING APPLICATION OF  
PAYMENTS TO THREE CREDITORS**

(NO HEARING REQUIRED)

Reorganized Debtor Matheson Flight Extenders, Inc. ("Reorganized Debtor" or "MFEI") hereby applies to the Court for an order directing three creditors to accept and apply payment on their respective proofs of claim and specifically to the account numbers in use at the time the Proofs of Claim were filed. In support of this Application, the Reorganized Debtor respectfully represents as follows:

1. This bankruptcy case was filed under chapter 11 of the bankruptcy code on April 19, 2015.

2. On April 23, 2015, the Court entered an Order Temporarily Granting First Day Motion regarding payment of utilities (the "Utilities Order"). Docket No. 32. The Court conducted the final hearing on Utilities Order on June 3, 2015.

3. On December 28, 2015, this Court entered Findings of Fact and Conclusions of Law and an Order Confirming Second Amended Chapter 11 Plan. Docket Nos. 537 and 536, respectively.

4. The Reorganized Debtor has made payments as required by the Confirmation Order, which will be set forth in full detail in its anticipated final status report and request for entry of a final decree and order closing the case. The Reorganized Debtor anticipates filing its final status report and request for final decree and order closing the case by March 31, 2016.

5. In its efforts to complete the initial payments under the Plan, the Reorganized Debtor has encountered obstacles from three creditors, all of whom filed proofs of claim and all of whom are in Class 2, Administrative Convenience Unsecured Creditors owed less than \$13,500. All of these creditors opened new account numbers for the Debtor post-petition and have relayed to the Reorganized Debtor that they are unable to accept payment without something from the Court or that they believe that the payments would be “preferential.” The three creditors with whom the Reorganized Debtor is encountering difficulty are summarized as follows:

- a. Public Service Company of New Mexico PNM. PNM Credit Department filed Proof of Claim No. 12 on June 29, 2015 in the amount of \$2,506.08. The Proof of Claim applied to Account No. 115574612-0274881-9 (“Old Account”). This creditor has confirmed to the Reorganized Debtor that this amount has been paid pursuant to this Court’s Utilities Order. However, the creditor opened a new account No. 116117230-0274881-2 (“New Account”) and applied the payments to New Account rather than the Old Account. The Creditor asserts that it is unable to accept payment on the Old Account without a court order.
- b. Pacificorp dba Pacific Power and Rocky Mountain Power. Pacificorp filed Proof of Claim No. 9 on May 29, 2015 in the amount of \$601.95. This consisted of two accounts, Account No. 51969498-001-004 (\$383.30) and Account No. 02243169-001-004 (\$218.65) (the “Old Accounts”). This creditor has also opened New Accounts No. 51969498-001-005 and. 02243169-001-005 (the “New Accounts”).

This creditor has apparently written off the Old Accounts as of year-end 2015. To facilitate the payment of the Proof of Claim on the Old Accounts, the Reorganized Debtor seeks a Court order directing the creditor to apply the payment on Proof of Claim No. 9 in the amount of \$601.95 to the Old Accounts.

- c. Louisville Gas & Electric Company. LG&E filed Proof of Claim No. 11 on June 29, 2015 in the amount of \$998.74. This creditor has also informed the Reorganized Debtor that this amount has been written off and without formal direction on the payment, it will not be able to accept payment. Like the other two creditors whose payments are the subject of this Application, this creditor also treated the Proof of Claim under two Old Accounts No. 3000-1946-9117 (\$686.16) and 3000-1948-2631 (\$312.58) and has created two New Accounts, No. 3000-3147-0648 & 3000-3145-1770 for future services.

6. Accordingly, the Reorganized Debtor asks the Court to enter an order directing the following:

- a. That Public Service Company of New Mexico PNM accept payment in the amount of \$2,506.08 in satisfaction of Proof of Claim No. 12 to be applied to Account No. 115574612-0274881-9;
- b. That PacifiCorp dba Pacific Power and Rocky Mountain Power accept payment in the amount of \$601.95 in satisfaction of Proof of Claim No. 9 to be applied to Account No. 51969498-001-004 (\$383.30) and Account No. 02243169-001-004 (\$218.65); and
- c. That Louisville Gas & Electric Company accept payment in the amount of \$998.74 in satisfaction of Proof of Claim No. 11 on Accounts No. 3000-1946-9117 (\$686.16) and 3000-1948-2631 (\$312.58).

DATED this 17<sup>th</sup> day of March, 2016.

DAVIS GRAHAM & STUBBS LLP

/s/ Cecilia Lee, Esq.  
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 ELIZABETH HIGH, ESQ.